

S.B. CR.MISC.BAIL APPLICATION NO.4117/2007.

Abdul Khalid @ Khaliq Vs. State

Date of Order : 22/6/2007.

HON'BLE MR.JUSTICE MOHAMMAD RAFIQ,
Vacation Judge

Mr. Abdul Kalam Khan for the petitioner.

Mr. S.S. Sharma P.P. for the State.

Heard learned counsel for the accused-petitioner as well as learned Public Prosecutor for the State on the bail application and have also gone through the material available on record.

Learned counsel for the petitioner argued that the allegation against the petitioner is of causing Injury No.1 which is incised wound in the dimensions of 3x1.5 cm. x skin deep on the medial end of right clavicle, petitioner was arrested on 23/2/2007, co-accused Iqbal Potli who was arrested on 18/2/2007 is attributed Injury No.4 which is incised wound in the dimensions of 3.5x1.5 cm. x skin deep on the right side of the lower back lumber region close to verbitral column has already been enlarged on bail by the co-ordinate Bench of this Court in S.B.Cr.Misc.Bail Application No.985/2007 vide order dated 19/4/2007. The case of the petitioner stands on better footing than Iqbal Potli inasmuch as petitioner has been in jail for much more period than him. Two fatal injuries opined to be sufficient

in the ordinary course of nature to cause death of the deceased have been attributed to other accused persons. Challan has already been filed and the trial of the case will take a long time.

Learned Public Prosecutor has opposed the bail application.

Without expressing any opinion on the merits of the case but taking into consideration the facts and circumstances of the case and the aforesaid submissions advanced by the learned counsel for the petitioner, I deem it appropriate to enlarge the petitioner on bail.

In the result, this bail application u/S.439 Cr.P.C. is allowed and it is directed that petitioner Abdul Khalid @ Khaliq S/o Yusuf Mohammad shall be released on bail in F.I.R. No.453/2006 P.S. Vigyan Nagar, Kota subject to his furnishing a personal bond in the sum of Rs.30,000/- together with two sureties in the sum of Rs.15,000/- each to the satisfaction of the trial Court for his appearance before that court on all dates of hearing until conclusion of the trial.

(MOHAMMAD RAFIQ), VJ.

anil